

May 14 04 11:44a

IPLO®

1.408.558.9960 RECEIVED CENTRAL FAX CENTER

MAY 14 2004

DAE

IPLO®
Intellectual Property Law Offices

Michael J. Hughes
Robert O. Guillot
Raymond E. Roberts
Larry B. Guernsey

1901 S. Bascom Avenue, Suite 660
Campbell, California 95008
Telephone: (408) 558-9950
Facsimile: (408) 558-9960
www.iplo.com

OFFICIAL

FAX COVER LETTER

Date: May 14, 2004

TO:
COMPANY: U.S. Patent and Trademark Office
PHONE:
FAX: (703) 872-9306

FROM: Raymond E. Roberts
DIRECT DIAL: (408) 558-7892
E-MAIL: rroberts@IPLO.com

RE: Serial No. 10/007,890; Applicant: Wang et al.: Filed: November 9, 2001
Atty. Docket #60617.300801

RECEIVED
MAY 18 2004
OIFE/JCWS

COMMENTS: Please file the attached documents:

1. Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing;
2. Patent Issue Fee Transmittal.

This facsimile contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee or the person responsible for delivering it to the addressee you are hereby notified that reading disseminating distributing or copying this facsimile is strictly prohibited. If you have received this facsimile by mistake please immediately notify us by telephone and return the original message to us at the address above via the Postal Service (we will reimburse postage). Thank you.

Originals: ☒ Not being sent Sent by: ☐ Post Office ☐ Messenger ☐ Air Courier ☐ E-Mail

Completed by Pat Beilmann

You should receive 7 page(s) including this page.

If the transmission is incomplete, please call 408.558.9950 as soon as possible.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David W. Wang et al.

Docket No: 60617.300801

Serial No: 10/007,890

Group Art Unit: 2874

Filing Date: November 9, 2001

Examiner: Connelly Cushwa, Michelle R.

For: "MULTIDIMENSIONAL OPTICAL GRATINGS"

MS Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL

☒ Transmitted herewith is a Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing, including the Patent Issue Fee Payment for this application.

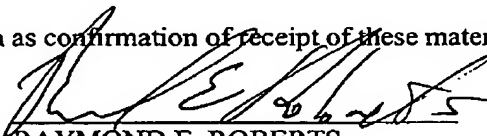
☒ Applicant is
☒ a small entity.
☐ other than a small entity.

☒ Payment by credit card. Form PTO-2038 is attached.
☐ Charge Account No. 08-3240 the sum of \$ _____.
A duplicate of this transmittal is attached.

☒ In the event that: a) no check to cover the filing fee is enclosed, b) any above-referenced check is inadvertently omitted or lost, or c) any enclosed check is in an amount less than or greater than the required fee, the Commissioner is authorized to charge any required fees, additional fees, or credit any overpayment to Deposit Account 08-3240. A duplicate of this authorization is enclosed for that purpose.

☒ Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Date: May 14, 2004


RAYMOND E. ROBERTS
Reg. No. 38,597

IPLO®

Intellectual Property Law Offices
1901 S. Bascom Avenue, Suite 660
Campbell, CA 95008
Telephone: (408) 558-9950
Facsimile: (408) 558-9960

Certificate of Transmission (37 CFR 1.8)

I hereby certify that this paper (along with any referred to as attached or enclosed) is being transmitted on the date shown below to the Commissioner for Patents, Washington, D.C.

Via facsimile to: 703 872-9306

May 14, 2004
(date)

(Signature of Patricia Beilmann)

PTO/SB/64a (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))	Docket Number (Optional) 60617.300801
--	---

First named inventor: WANG et al.

Application No.: 10/007,890

Art Unit: 2874

Filed: 11/09/2001

Examiner: CONNELLY CUSHWA, Michell R.

Title: MULTIDIMENSIONAL OPTICAL GRATINGS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)**

1. Petition fee☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))**

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is 11/06/2002.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/18/2004 TL0022 00000001 10007890

01 FC:2453

665.00 OP

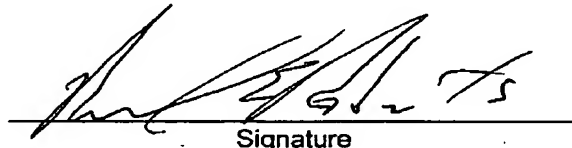
STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

14 MAY 2004

Date


Signature

Telephone

Number: (408) 558-9950Raymond E. Roberts, Reg. No. 38,597

Typed or printed name

IPLO, 1901 S. Bascom Ave, Suite 660

Address

Campbell, CA 95008

Address

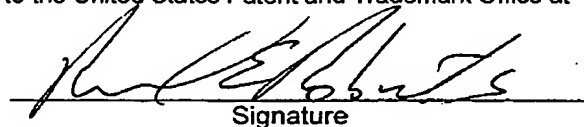
Enclosures: ☒ Fee Payment☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.14 MAY 2004

Date


SignatureRaymond E. Roberts

Type or printed name of person signing certificate